

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 869 - SB 859

April 5, 2021

SUMMARY OF ORIGINAL BILL: Requires the Governor to provide certain notice and information to certain members of the General Assembly regarding declarations of a state of emergency applying to a public health emergency. Authorizes the General Assembly to terminate such declarations with passage of a joint resolution.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (006712): Deletes all language after the enacting clause such that the substantive changes: (1) establish, upon the declaration of a state of emergency based on a public health emergency, a 14-member legislative council; (2) authorize, when the General Assembly is not in session, the legislative council to take certain actions relating to suspension or extension of states of emergency or executive orders issued by the Governor; (3) authorize the General Assembly to end an executive order that is established in response to a public health emergency with passage of a joint resolution; (4) establish that any suspension of a state of emergency or executive order by the legislative council remains in effect until the General Assembly is called into special legislative session; (5) require the Department of Health (DOH) to give bi-weekly reports; and (6) take effect January 10, 2023.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Other Fiscal Impact – For each day the legislative council is required to meet it will result in an increase in state expenditures of \$5,700. For any special legislative session which is convened it will result in an increase in state expenditures of \$170,300.

Assumptions for the bill as amended:

- The proposed language is applicable only to states of emergency or executive orders established relative to public health emergencies occurring after January 10, 2023.
- For each meeting of the legislative council outside of a regular legislative session, each member will be eligible to receive per diem and travel reimbursement.
- Each legislative member will receive \$295 per day and an average mileage reimbursement of \$110 for each meeting.

- The increase in state expenditures for any meeting of the legislative council outside of regular legislative session is estimated to exceed \$5,670 $[(\$295 + \$110) \times 14]$.
- It is reasonably assumed that any special legislative session called will span Monday to Thursday, with members being reimbursed for travel once. Therefore, for any special legislative session initiated as a direct result of this legislation, there will be an increase in state expenditures estimated to be \$170,280 $\{[(\$295 \times 4) + \$110] \times 132\}$.
- Any action taken by the General Assembly during a regularly-scheduled legislative session will not require the additional payment of per diem or travel reimbursement for member.
- The DOH will provide the bi-weekly reports utilizing existing staff and resources; therefore, any increase in state expenditures for such reports is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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